

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARTHA VASSALLE,
1426 Lindsley Street
Sandusky, Ohio 44870

and

JEROME JOHNSON
1601 North Larchmont Drive
Sandusky, Ohio 44870

Plaintiffs,

vs.

MIDLAND FUNDING, LLC
8875 Aero Drive
San Diego, California 92123

and

MIDLAND CREDIT MANAGEMENT,
INC.
8875 Aero Drive
San Diego, California 92123

and

ENCORE CAPITAL GROUP, INC.
8875 Aero Drive
San Diego, California 92123

Defendants

Case No. 3:11-cv-0096, N.D. Ohio

HON. DAVID A. KATZ

And Related Cases:

Case No. 3:08-cv-1434, N.D. Ohio

Case No. 3:10-cv-0091, N.D. Ohio

Case No. 3:11-cv-1332, N.D. Ohio

**DEFENDANTS' MOTION FOR SPECIAL
MASTER TO APPROVE DEFENDANTS'
AFFIDAVIT PROCEDURES**

NOW COME, Defendants Midland Funding, LLC, Midland Credit Management, Inc., and Encore Capital Group, Inc. (collectively "Midland") and move for the Special Master to approve their Affidavit Procedures.

1. On August 12, 2011, the Court entered a Memorandum Opinion and Final Judgment (Dkt. 160), which approved the class settlement and made several holdings regarding

enforcement of the injunctive relief, including the desire, consistent with the Settlement Agreement, to appoint the Hon. Richard McQuade, former federal district court judge, as a Special Master to review and approve Midland's Affidavit Procedures.

2. On October 6, 2011, the Court entered an Order appointing the Hon. Richard McQuade as Special Master, pursuant to Fed. R. Civ. P. 53. (Dkt. 173).

3. Thereafter, Midland submitted its Affidavit Procedures to Special Master McQuade for his review and approval.

WHEREFORE pursuant to the above-referenced Orders, as well as this Court's January 19, 2012 Order (Dkt. 174), the Defendants now move for the approval of the Affidavit Procedures by Special Master McQuade.

Date: January 25, 2012

Respectfully Submitted:

/s/ Theodore W. Seitz

Theodore W. Seitz

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*Counsel for Defendants Midland Funding,
LLC, Midland Credit Management, Inc. and
Encore Capital Group, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2012, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to counsel of record. I hereby certify that I have mailed by United States Postal Service the same to any non-ECF participants.

/s/ Theodore W. Seitz

Theodore W. Seitz (P60320)

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